



TECHNICAL ADVISORY COMMITTEE (TAC)

Department of Fish and Game
Marine Region – Los Alamitos Office
4655 Lampson Avenue
Los Alamitos, CA 90720
Attendance:

Members		Agency Representatives	OSPR Participants		Guests
Stephen Ricks	Joan Lundstrom	Ellen Faurot-Daniels	Lisa Curtis	Stephen Sawyer	Ravi Varma, CSLC
Matt Rezvani	Michael Ziccardi	Linda Scourtis	Bud Leland	Joy Lavin-Jones	Ray Nottingham, MRSC
Tracy Egoscue	Jonna Mazet	Kevin Mercier	Linda Green	John Sutton	Bob Poole, WSPA
Linda Sheehan	(conference call)	Gary Gregory	Lisa Vandenput		Doug Flaherty, PTS cons.
Mitchel Beauchamp		Jean Cameron			

The January 30, 2007, Oil Spill Technical Advisory Committee (TAC) meeting at the Department of Fish and Game Marine Region – Los Alamitos Office, Los Alamitos, CA was called to order at 9:35 a.m. – Stephen Ricks, Chairperson, presiding.

I. INTRODUCTIONS

LISA CURTIS, OSPR

Self Introductions: TAC members, Agency representatives, OSPR participants, and guest.

II. APPROVAL OF THE MINUTES

STEPHEN RICKS (CHAIRPERSON)/TAC

- November 9, 2006 minutes:
- R. Mitchel Beauchamp motioned to approve the minutes with edits. Matt Rezvani seconded.
- Unanimously approved.

III. OSPR UPDATE

LISA CURTIS, OSPR

- Lisa reported that OSPR has been heavily involved in a Strategic Planning process, and the vision has been defined as follows: 1) An agency that operates with integrity 2) anticipates needs and is proactive 3) values one another 4) provides great customer services 5) communicates and creates connections 6) inspires confidence and creativity 7) is transparent and open 8) and is recognized as a premier agency for prevention, readiness and response to marine oil spills 9) rehabilitation of wildlife and restoration of impacted habitat. That is OSPR's overarching vision.
- Additionally, as part of the planning process each program was required to prepare a SWOT analysis which identifies Strengths, Weakness, Opportunities and Threats. From the analysis we established some goals. In two weeks the Management Team will be consolidating and making the individual program goals more interconnected, identifying the objectives and performance measures which will translate into accountability.

IV. AGENCY REPORTS

CCC/BCDC/SLC

❖ *California Coastal Commission:*

Ellen Faurot-Daniels

- Some highlights discussed for this reporting period are as follows:
 - ♦ Ellen Faurot-Daniels reported that the CCC Oil Spill Program staff spent a considerable amount of time participating in the Area Committee (AC) meetings within all six regions of the state.
 - ♦ Ellen Faurot-Daniels reported that the Oil Spill Program staff is tracking discussions of derelict vessels and/or ocean disposal of derelict vessels to determine if any existing or future programs will require Coastal Commission permits or federal consistency review. Ellen also reported that the EPA is currently performing a permit process for ocean disposal of derelict vessels. The EPA to date has not contacted the CCC regarding the federal consistency review of their permit. The Coastal Guard also performed a pilot project on the disposal of derelict vessels in October in LA/LB area which will also be used as a training mechanism for the future. The TAC asked that this item become a topic of further discussion at the next meeting.
 - ♦ Ellen Faurot-Daniels reported that the Central Coast AC is looking into outreach to local businesses (e.g., Duke Energy, Monterey Bay Abalone) to see if they need, through their own resources, to provide protective response equipment for their operations. The OSPR drill highlighted the very real possibility that once the large amounts of oil spill response resources arrived on scene to protect environmental sensitive sites in the Monterey Bay area, little or no resources would be available to protect economic sensitive sites (local business might be expecting that response agencies and

organizations can provide timely and adequate protection to their interests, when in fact they might not be able to). Ellen suggested that TAC and the AC look into this.

❖ ***State Lands Commission:***

Gary Gregory

▪ Report provided.

- ♦ Gary Gregory reported that on August 27, 2006, M/V Walnut Express, a 45.7 thousand DWT tanker was moored at the ExxonMobil terminal (Berth 239, Port of Los Angeles). Another vessel passed within 330 feet of the berth face, at 5.8 knots. The Walnut Express surged 12-15 feet, damaged some fender piles, bent mooring hooks, and the winch brakes on the ship had begun to slip. After a structural inspection by ExxonMobil, and later SLC employees, the terminal was shut down until a formal engineering review was completed and new procedures that might be required were in place. The damage to the structure was not major, with 14 pilings damaged, but the implications of what could have happened (broken cargo hose/highly flammable hydrocarbon) are very serious. ExxonMobil has provided some passing vessel analyses that are currently being reviewed by MFD staff. Operational changes will be required, pending discussion with pilots, port personnel and the ExxonMobil terminal. Berth 239 remains closed until all of the issues, such as separation distance, passing vessel speed, opposing current, maximum draft, mooring line pretensioning, etc. have been addressed. Gary also pointed out that according to an ExxonMobil engineering employee, of the 300 terminals operated by ExxonMobil, this terminal is one of their 10 worst facilities.. ExxonMobil will begin their MOTEMS audit on berth 239 by August 2007.
- ♦ Gary Gregory reported that SLC is meeting with the California Energy Commission in February to talk about best practices for permits and regulations for marine oil terminals. CEC is concerned about future shortfalls in capacity for both crude oil and finished or near-finished product. The CEC is looking at all agencies involved in permitting and regulations from local to federal.
- ♦ Gary Gregory reported that operations activities are continuing as before. SLC will continue to adjust to new realities imposed by MOTEMS as well as changes in the Ballast Water Program. The deadline for MOTEMS is 2012. Estimated cost is in the Regulatory package.
- ♦ Gary reported on personnel changes at the Marine Facilities Division. The Division is losing a valued member of the operations staff, Ken Leverich. Ken is the supervisor of the Northern California Field Office. He departs on February 9, 2007, for what will eventually be a new life as a missionary in Africa. Ken leaves with the state's Superior Accomplishment Award (Gold) and the Coast Guard Public Service Commendation; both awards are well deserved. Ken's replacement will be selected as soon as possible..
- ♦ Gary Gregory briefly discussed the SLC Customer Service meetings and extended personal invitations to the TAC members to attend the next meeting.

❖ ***SF Bay Conservation and Development Commission:***

Linda Scourtis

▪ SF Harbor Safety Committee (HSC) report:

- ♦ Ferry Operations Work Group. Linda Scourtis reported that new ferry routes began trials November 1, 2006; the ferry work group, including the SF VTS, will work with captains and operators to assess the efficacy of the new route and the effect on bridge to bridge communications. Two locations were found to merit further study: The area where the Larkspur and Vallejo ferries merge and an approach to a location in Alameda. A VTS representative will visit the Washington State ferry system to see what might be applied to the growing SF Bay system.
- ♦ Prevention through People. Linda Scourtis reported that the work group served as a forum for industry discussion regarding the issue of equipment falling from cargo ships onto bunkering barges and tugs. Measures were agreed to be put into place, including placement of deck signage indicating where barge work was being done, to direct ship hands away for that area. The group met twice during the summer, prompted by recent near-misses. Updates presented during the most recent meeting on January 9, 2007, show improvement in communications between the tug and barge companies and the vessel operators. It was agreed that the group would continue to meet on a quarterly basis to assess progress in keeping bunkering operations safe. Additionally, industry recommended that SF HSC transmit the measures taken thus far to other West Coast HSCs.

- ♦ PORTS work group. Linda Scourtis reported that a statewide meeting of HSC Chairs and interested parties to discuss the need and possible funding mechanisms for establishing PORTS in California's shipping harbors was held December 14, 2006 at BCDC's offices. The group continued the work of the previous statewide PORTS meeting of March 29, 2006, when the participants determined to pursue a statewide system permanently funded from the General Fund and administered by OSPR. The focus of the December meeting was to agree on goals and task for the group, including writing and moving forward legislation, which the group has begun coordinating.

V. **BIENNIAL REPORT TO THE LEGISLATURE – UPDATE
AND EXTENSION LETTER**

TAC Subcommittee

- **Motion for TAC to inform the Governor of the need for an extension on the Biennial Report to the Legislature**
- Steve Ricks reported the TAC will need to capture activities for the last two years. OSPR, SLC, CCC, and BCDC each will need to capture their activities for the last two years. TAC's primary input is in two parts, which are the accomplishments for the last two years and future activities. A subcommittee was formed and had a preliminary meeting to discuss the activities. Steve has forwarded the document to the members for comment and discussion. The document is due next TAC meeting. The TAC will discuss the future activities and strategic planning at a later date. Lisa Curtis reported that she informed the DFG Executive Team that the **Biennial Report to the Legislature is due now** and offered the team the opportunity to attend the TAC meeting. Lisa also mentioned to the Executive team that the TAC has concerns with the Fund 321 and offered the Team the opportunity to address this issue.
- Matt Rezvani discussed the trust issue with the DFG and would like the TAC to have an audit of past years for the Fund 321. He also had concerns with staffing issues, specifically staff personnel and funding "transferred", what transfers have taken place and what does this mean? Lisa explained what "transferred" means (authority and positions) and which positions have been transferred; 35 positions from Enforcement, ten positions from Legal, approximately ten positions from IT Unit and two positions from the PIO unit. Lisa explained that she and Bud have spent a lot of time nurturing relationships to bridge the communication barriers between OSPR and the Department.
- After a lengthy discussion, the TAC decided on the Accomplishments and Future Activities to be incorporated into the **Biennial Report to Legislature**. The Report will be due by the next TAC meeting. Jonna Mazet, who joined the meeting by conference call, will help with preparing the audit response section. Comments for the Accomplishments and Future Activities are due to Tracy Egoscue by April 16, 2007.

The following is a list of Accomplishments and Future Activities, and TAC member assignments:

TAC 2005/2006 Accomplishments:

1. Review of DOF audit **Jonna Mazet**
2. Review of 321 Fund **TAC**
3. Staffing Redirection **TAC**
4. Inland Spills program. **Linda Sheehan**
5. LNG authority **Bud Leland/Gary Gregory**
6. PORTS **Joan Lundstrom**
7. Vacant TAC positions **Matt Rezvani**
8. Spill database **TAC**
9. Shoreline Protection Regulations **TAC**
10. MOTEMS **Gary Gregory**

TAC Future Activities:

1. Implementation of Audit Recommendation and Findings
2. Monitor Inland Spill Programs
3. Update on Oil Spill Programs
4. Track Spill Database – Database Established (All Spills Captured)
5. Update/Monitor MOTEMS Programs
6. Monitor Staffing Redirection
7. Provide input to OSPR'S Strategic Plan
8. Need to develop a budget for TAC
9. Update State Oil Spill Programs – (Monitor Biofuel)
10. Implementation Statewide of the PORTS

VI. **PUBLIC COMMENTS**

STEVE RICKS, CHAIRMAN

- No public comment recorded for this meeting. **Change in the order of the agenda:** Tracy Egoscue suggested moving the *Public Comment* item to the beginning of meeting. Committee agreed; no vote necessary.

VII. REGULATIONS UPDATE

JOY LAVIN-JONES, OSPR

- Joy Lavin-Jones updated the TAC on the Shoreline Protection Regulation packet which had only a few minor changes. OSPR will resubmit the packet next week in the hopes of a one week turnaround period. OSPR is anticipating an approval by late February, which will allow the Regulations to be effective on April 2, 2007. The non-high volume ports part of the regulations will be effective in September. Steve Ricks had concerns on contingency plans revisions and their due dates. Lisa commented that OSPR has been meeting to discuss the cleanup of the plans and the impact. Joy reported that Chris Klumpp will hold a workshop on the Shoreline Protection Regulations and its effect on C-plans. Steve Ricks anticipates that this process will help to simplify the procedures for his organization.

VIII. FUND STATUS

DAVE CORNEJO/MICHELE OWENS, OSPR

- Summary of the OSPR Fund status was distributed to the committee. The summary showed an increase for 320 Fund which was based largely on the BCP's which were reflected in the Governor's Budget on January 10, 2007.
- Currently, the Response Trust Fund is at \$57M and we have an immediate loan at the Treasurer for \$50M which will bring Fund to \$100M. This is the amount mandated by law to be in the account at all times.

IX. ACCOMPLISHMENTS – TAC BIENNIAL REPORT

LISA CURTIS/WILLIAM LELAND

- Lisa Curtis and William Leland will be updating the TAC Biennial Report on the Spill Tracking database and the new Drills and Exercises program. Lisa briefly spoke about OSPR moving toward Readiness vs. Response which will be included as Accomplishments in the TAC Biennial Report.

X. UPDATE ON LNG

WILLIAM LELAND, OSPR

- William Leland announced that the LNG project scheduled for Long Beach was voted down by the Long Beach Harbor Commission and is now dead. He also reported that the Port Hueneme LNG project is still under consideration and going forward. Lisa Curtis announced that OSPR will be appointing a new Port Hueneme LNG representative on Thursday, February 1, 2007. The new representative will be Carl Moore.

XI. PACIFIC STATES/BRITISH COLUMBIA OIL SPILL TASK FORCE - PRESENTATION

JEAN CAMERON, PS/BC

- Jean Cameron, Executive Coordinator, Pacific States/British Columbia Oil Spill Task Force
Please see attached summary of the presentation.

XII. PALO ALTO PRESENTATION

JOHN SUTTON, OSPR

- For the Palo Alto presentation William Leland introduced John Sutton, an OSPR warden and the Incident Commander at the Palo Alto incident. *Please see attached summary of the presentation.*

XIII. UPDATE ON GEOGRAPHICAL BOUNDARIES OF THE REGIONS (DFG REORGANIZATION)

LISA CURTIS, OSPR

- Lisa Curtis will be giving the TAC a complete update on the geographical boundaries of the regions at the next TAC meeting. She also informed the TAC that the Department will be meeting next week regarding this issue. Lisa Curtis distributed the memo and map to the TAC regarding the Regions. She also announced that William Leland is now included in the Regional manager's meetings which gives OSPR recognition at the Department and Regional level.

XIV. UPDATE ON PORTS FUNDING AND TAC'S ROLE (ACTION ITEM)

STEVE RICKS, CHAIRMAN

- Joan Lundstrom announced that the all five HSC's would like to have a statewide uniform system throughout California for PORTS, and it should have permanent funding. Joan reported that the biggest issue is permanent funding. She also reported that the HSC's will be asking for state funding because NOAA does not have the funding, and depending on where the funds are allocated the federal funding is not usually permanent. Joan reported the HSC's would like OSPR to administer the PORTS system and is currently proposing state legislation to get funding. She also reported that HSC's are looking for sponsors for this bill. It is currently at the Legislative Counsel's office. Joan will be updating the TAC at the next meeting.

XV. SETTING MEETING DATES

STEVE RICKS, CHAIRMAN

- Mike Ziccardi (Jonna Mazet's representative) reported that perhaps the meetings should be tentatively set until each member who is not present has been notified of the date. Steve Ricks stated that he would contact Jonna and other members not present to inform them of the tentative dates, allowing the member a chance to reconcile their calendars.

XVI. OLD/NEW BUSINESS

STEPHEN RICKS (CHAIRPERSON)/TAC

- No new business.

❖ ***Action Items***

- **TAC to inform the Governor of the need for an extension on the Biennial Report to the Legislature which is due now.**

❖ ***Agenda Items for April 24, 2007, meeting:***

- OSPR update
 - Tracking derelict vessels and/or ocean disposal of derelict vessels
 - Lisa Curtis will give a complete update on the geographical boundaries of the Regions
 - Setting Meeting times and locations
 - Update on PORTS funding

❖ ***Dates and location of 2007 meetings:***

- January 30, 2007 – Los Alamitos, CA
- April 24, 2007 – Sacramento, CA
- July 24, 2007 – TBD
- October 23, 2007 – TBD

ADJOURN